

Notice of Rulemaking Hearing  
The Tennessee Department of Human Services  
Division of Family Assistance

There will be a hearing before the Tennessee Department of Human Services to consider the promulgation of amendments to rules pursuant to Tennessee Code Annotated §§ 4-5-201 et seq. and 71-1-105(12). The hearing will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, Tennessee Code Annotated, § 4-5-204 and will take place in the 2nd Floor BoardRoom, Citizens Plaza Building, 400 Deaderick Street, Nashville, Tennessee at 1:30 p.m. CST on October 19, 2004.

Any individuals with disabilities who wish to participate in these proceedings (to review these filings) should contact the Department of Human Services to discuss any auxiliary aids or services needed to facilitate such participation. Such initial contact may be made no less than ten (10) days prior to the scheduled meeting date (the date the party intends to review such filings), to allow time for the Department of Human Services to determine how it may reasonably provide such aid or service. Initial contact may be made with the Department of Human Services' ADA Coordinator, Fran McKinney, at Citizens Plaza Building, 400 Deaderick Street, 3rd Floor, Nashville, Tennessee 37248, telephone number (615) 313-5563 (TTY)-(800) 270-1349.

For a copy of the proposed rule contact: Phyllis Simpson, Assistant General Counsel, Department of Human Services, Citizens Plaza Building, 400 Deaderick Street, 15<sup>th</sup> Floor, Nashville, TN 37248, telephone number (615) 313-4731.

Substance of Proposed Rules  
of  
The Tennessee Department of Human Services  
Family Assistance Division

Chapter 1240-1-2  
Family Assistance Unit  
Food Stamp Program

Amendments

Rule 1240-1-2-.02 Household Concept – Food Stamps Only, is amended by deleting Part 5 under Subparagraph (a) Paragraph (1), and by substituting the following language, so that, as amended, Part 5 Paragraph (1), Subparagraph (a) shall read as follows:

5. An individual who is sixty (60) years of age or older (and the spouse of such individual) who lives with others and who is unable to purchase and prepare meals separately because he/she suffers from a disability considered permanent under the Social Security Act or some other non-disease-related severe permanent disability. In order for this individual and spouse to be eligible for separate household status, the combined gross income of all others with whom the individual resides (excluding the individual and his/her spouse's income) cannot exceed one hundred sixty five percent (165%) of the poverty level as shown in the Table below:

No. of Persons in Household	1	2	3	4	5	6	7	8	9	10
165% of Poverty	1281	1718	2155	2592	3030	3467	3904	4341	4779	5217

Add \$438 for each additional person

Authority: T.C.A. §§ 4-5-201 et seq.; T.C.A. § 4-5-202; T.C.A. §§ 71-1-105 and 71-5-304; 7 U.S.C.A. § 2014; and 7 C.F.R. §§ 273.1, 273.1(b)(2), 273.9, and 273.10.

Chapter 1240-1-4  
Financial Eligibility Requirements

Amendments

Rule 1240-1-4-.27 Standard of Need/Income, is amended by deleting Table I under Paragraph (1) Subparagraph (a) Part 2 in its entirety, and by inserting a new Table I, so that, as amended, Table I shall read as follows:

Table I

No. of Persons in Household	1	2	3	4	5	6	7	8	9	10
Gross Income Standard	1009	1354	1698	2043	2387	2732	3076	3421	3766	4111

No. of Persons in Household	11	12	13	14	15	16	17	18	19	20
Gross Income Standard	4456	4801	5146	5491	5836	6181	6526	6871	7216	7561

For each additional member add \$345

Rule 1240-1-4-.27 Standard of Need/Income, is amended by deleting Table II under Paragraph (1) Subparagraph (b) Part 2 in its entirety, and by inserting a new Table II, so that, as amended, Table II shall read as follows:

Table II

No. of Persons in Household	1	2	3	4	5	6	7	8	9	10
Maximum Net Income	776	1041	1306	1571	1836	2101	2366	2631	2896	3161

No. of Persons in Household	11	12	13	14	15	16	17	18	19	20
Maximum Net Income	3426	3691	3956	4221	4486	4751	5016	5281	5546	5811

For each additional member add \$265

Rule 1240-1-4-.27 Standard of Need/Income, is amended by deleting Table III under Paragraph (1) Subparagraph (c) Part 2 in its entirety, and by inserting a new Table III, so that, as amended, Table III shall read as follows:

Table III

No. of Persons in Household	1	2	3	4	5	6	7	8	9	10
Maximum Coupon Allotment	149	274	393	499	592	711	786	898	1010	1122

No. of Persons in Household	11	12	13	14	15	16	17	18	19	20
Maximum Coupon Allotment	1234	1346	1458	1570	1682	1794	1906	2018	2130	2242

For each additional member add \$112

Rule 1240-1-4-.27 Standard of Need/Income, is amended by deleting Table IV-A and Table IV-B under Paragraph (1) Subparagraph (d) in their entirety, and by inserting a new Table IV-A and Table IV-B, so that, as amended, Table IV-A and Table IV-B shall read as follows:

Table IV-A  
Standard Deduction

Household Size	1	2	3	4	5	6+
Standard Deduction	134	134	134	134	153	175

Table IV-B  
Food Stamp Deductions

Maximum Dependent Care for Child Less than 2 Years of Age	\$200
Maximum Dependent Care for Child Over Age 2 or Adult	\$175
Maximum Shelter Deduction for Non-Elderly/Disabled Households	\$388
Maximum Shelter Deduction for Elderly/ Disabled Households	No Maximum

Authority; T.C.A. §§ 4-5-201 et seq.; T.C.A. § 4-5-202; T.C.A. §§ 71-1-105 and 71-5-304; 7 U.S.C.A. § 2014; and 7 C.F.R. §§ 273.9 and 273.10.

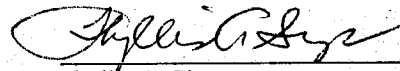
**Legal Contact and/or party who will approve final copy:**

Phyllis A. Simpson  
Assistant General Counsel  
Department of Human Services  
Citizens Plaza Building, 15<sup>th</sup> Floor  
400 Deaderick Street  
Nashville, TN 37248-0006  
(615) 313-4731

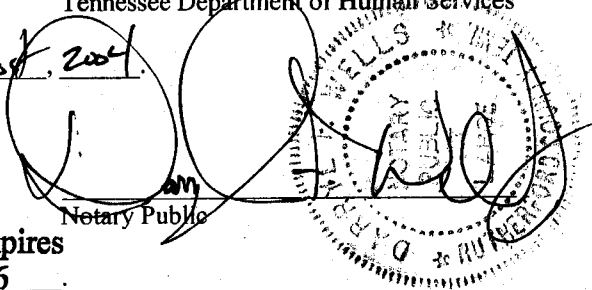
**Contact for disk acquisition:**

Darryl F. Wells  
Legal Assistant  
Citizens Plaza Building, 15<sup>th</sup> Floor  
400 Deaderick Street  
Nashville, TN 37248-0006  
(615) 313-4731

I certify that this is an accurate and complete representation of the intent and scope of rulemaking proposed by the Department of Human Services.

  
Phyllis A. Simpson  
Assistant General Counsel  
Tennessee Department of Human Services

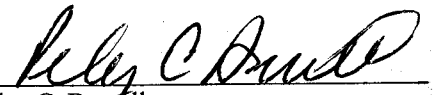
Subscribed and sworn to before me this 25<sup>th</sup> day of August, 2004.



My Commission Expires

My commission expires on the \_\_\_\_\_ day of August 20, 2006.

The notice of rulemaking set out herein was properly filed in the Department of State on the 26 day of August, 2004.

  
Riley C. Darnell  
Secretary of State

By: 

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